

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

IN RE WACHOVIA CORPORATION
ERISA LITIGATION

MASTER FILE: 3:09-CV-00262-MR

THIS DOCUMENT RELATES TO:
All Actions

**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF ERISA CLASS
ACTION SETTLEMENT, FOR SETTLEMENT CLASS CERTIFICATION,
AND FOR APPROVAL OF PLAN OF ALLOCATION**

Plaintiffs David W. Allen, Robert M. Cominsky, Richard F. Dziak, Rose Hansen, Alan A. Hardman, Jerry R. Kelley, Jr., Denise A. Tuttle, and Todd A. Wright ("Plaintiffs" or "Named Plaintiffs"), by and through Class Counsel, respectfully move the Court for an Order granting final approval of the proposed Settlement and Plan of Allocation; and certification of the Settlement Class.

A copy of the Class Action Settlement Agreement ("Settlement Agreement") is attached as Exhibit A to the Declaration of Derek W. Loeser in Support of Plaintiffs' Motion for Final Approval of ERISA Class Action Settlement, for Settlement Class Certification, and for Approval of Plan of Allocation, and Class Counsel's Motion for Award of Attorneys' Fees and Expenses and Named Plaintiff Case Contribution Awards ("Loeser Declaration" or "Loeser Decl.") filed concurrently herewith.

The [Proposed] Order and Final Judgment is attached as Exhibit B to the Loeser Declaration.

WHEREFORE, Plaintiffs pray that the Court grant Plaintiffs' Motion for Final Approval of ERISA Class Action Settlement, for Settlement Class Certification, and for approval of Plan of Allocation.

Respectfully submitted this 12th day of July, 2011.

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